

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 04-CV-10688 NMG

Theodus Jordan	)	
	)	
Plaintiff	)	
	)	
v.	)	
	)	
Boston Public Schools,	)	
	)	
Defendant	)	
	)	

**DEFENDANT'S STATEMENT OF PROPOSED PRE-TRIAL SCHEDULE**

Pursuant to Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts, counsel for Boston Public Schools<sup>1</sup> makes the following statement and proposes the following pretrial schedule:

**NATURE OF THE CASE**

This is an action by Theodus Jordan claiming discrimination by the Defendant on the basis of race, gender, age and disability.

**PROPOSED PRE-TRIAL SCHEDULE**

1. Proposed Discovery Plan:

- (a) Written discovery requests are to be served by July 21, 2006 and answers/responses are to be served within the time provided by the Federal Rules of Civil Procedure and/or the Local Rules of the District of Massachusetts;
- (b) All depositions are to be completed by November 30, 2006 except for expert witness;
- (c) The plaintiffs' expert witnesses shall be designated by September 1, 2006, and defendants' expert witnesses shall be designated

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<sup>1</sup> Counsel for Boston Public Schools made a reasonable attempt to confer with the Plaintiff regarding this statement by sending a photocopy of Rule 16.1 on December 13, 2005 and reiterating the need to conference, also counsel left a few phone messages at least one of which was returned by Plaintiff, but parties were unable to meet.

within 30 days after plaintiff discloses said expert(s) as contemplated by Fed. R. Civ. P. 26(b)(4)(A); designation of experts shall include provision of any information required by the Federal Rules of Civil Procedure and/or the Local Rules of the District of Massachusetts; any expert depositions shall be completed within 30 days of defendants' expert designation;

- (d) All dispositive motions are to be filed by January 31, 2007, and responses are to be filed fourteen days thereafter pursuant to Local Rule 7.1;
  - (e) The plaintiff shall name other parties, if any, not later than June 15, 2006;
  - (f) A final pre-trial conference will be held per order of the Court.
2. Defendants intend to take no more than 10 depositions during the discovery period, in conformity with Fed. R. Civ. P. 30(a)(2)(A) and LR, D. Mass. 26.1(C).

#### **CERTIFICATION PURSUANT TO LR, D.MASS.16.1**

Certifications regarding each parties' consultation with counsel regarding budgets and alternative dispute resolution will be filed separately.

#### **SETTLEMENT**

The Plaintiff has not submitted a settlement demand to the Defendant pursuant to Rule 16.1(C).

#### **Issues for Discussion at Scheduling Conference**

Defendants propose the following issue(s) for discussion at scheduling Conference:

1. Defendant anticipates filing a motion for judgment on the pleadings.

Respectfully submitted,

By: /s/ Andrea Alves Thomas  
Attorney for the Defendant  
Andrea Alves Thomas  
BOSTON PUBLIC  
SCHOOLS  
26 Court Street, 7<sup>th</sup> Floor  
Boston, MA 02108  
(617) 635-9320

Date: February 15, 2006

**CERTIFICATE OF SERVICE**

I, Andrea Thomas, hereby certify that on this 15th day of February, 2006 I have served a copy of the foregoing document via first class mail, postage prepaid, directed to:

Theodus Jordan  
P.O. Box 840  
Jamaica Plain, MA 02130

/s/ Andrea Alves Thomas  
Andrea Alves Thomas